

## California Website Privacy Policy

Last Updated: January 1, 2023

Protecting your privacy is important to Obagi Cosmeceuticals LLC (“Obagi”). This California Privacy Policy (“Policy”) describes how Obagi collects, uses, discloses and safeguards the personal information you provide on this website and through or in connection with our mobile apps (the “Apps”) or other software- and Internet-enabled programs and services sponsored by Obagi (the “Sites”), as well as information collected when you otherwise communicate or interact with Obagi. This Policy reflects our compliance with applicable California law, including the California Consumer Privacy Act, as amended by the California Privacy Rights Act (together, “CCPA”). Please see our general privacy policy, available at <https://www.obagi.com/privacy-policy> for more information regarding how we collect, use, disclose and safeguard your personal information.

The following table sets forth the categories of personal information Obagi has collected in the preceding 12 months, the source of that personal information, and how we have used and disclosed such personal information in the preceding 12 months.

<b>Category of Personal Information Collected</b>	<b>Source of Information</b>	<b>Purpose for Collection</b>	<b>Categories of Recipients</b>
<b>Contact information:</b> such as your name, address, email address, telephone numbers, or other contact information	From you	To communicate with you, to send you emails, promotional materials and other offerings from us, to offer a sweepstakes, contest, or other promotion, when you contact us, when you request customer service or support, to complete your registration on our Sites or Apps, and to provide you with offers or information regarding our products that may be of interest to you	Our service providers who help process, fill, and ship your orders Third party service providers who help in the administration of promotions, contests, and the Obagi Premier Points® loyalty program
<b>Purchase and order information:</b> contact information, together with purchase details (products, size, quantity, price) online and in store, delivery details, payment details, and any communications we have received about	From you or from a customer who places an order to be delivered to you	To validate, confirm, verify, deliver, install, and track your order, including to arrange for shipping, handle returns and refunds, maintain a record of the purchases you make, to service products you purchased from us,	Our service providers who process, fulfill and ship orders

your order or purchase		and to provide you offers that may be of interest to you	
<b>Payment information:</b> name, card issuer and card type, credit or debit card number, expiration date, CVV code and billing address	From you and your payment card issuer	To check that the right person is using the right card or account, meets the requirements of the card brands or account issuers, and to make sure we are paid for what you buy	Our service providers who process payments for us and who are contractually required to comply with laws and requirements applicable to payment processing, which may include Payment Card Industry Data Security Standards
<b>Delivery information:</b> name and address of recipient for delivery of rewards under our loyalty program	From you	To deliver to the person at the address which you have requested	Our service providers who process, fulfill and ship orders
<b>Information you provide about a third party:</b> if you send someone else a communication from the Sites, we may collect information, such as that person's name, telephone number and/or email	From you	To deliver to or communicate with the person at the address which you have requested	Our service providers, and our co-marketing partners
<b>Legal information:</b> fraud checks or flags raised about your transactions, the payment card you want to use, payment card refusals, suspected crimes, complaints, claims and accidents	From you, the police, crime and fraud prevention agencies, payment card providers, the public, regulators, your and our professional advisors and representatives	To protect you, other customers and our business against criminal activities and risks, to make sure we understand and can meet our legal obligations to you and others and can defend ourselves, and if required by law, governmental request or court order or based on our good faith belief that it is necessary to conform or comply with such law, request or court	Our service providers who help us with fraud protection and credit risk reduction, and law enforcement and other governmental authorities in accordance with applicable law

		order or to protect the users of our website or the public	
<b>Preference information:</b> your marketing preferences, your account settings (including any default preferences), any preferences you have indicated, the types of services/offers that interest you, the areas of our Sites that you have visited or ways that you interact with our Sites	From you, from our website technology interaction with your browser/devices and cookies and other similar technologies tracking the pages you visit, the marketing messages you open and the links you follow	To enhance your experience on our Sites and Apps, including as a way to recognize you and welcome you to the Sites or Apps, to provide you with customized Site or App content, targeted offers from us, promotions and advertising on the Sites or Apps	Our third party vendors and service providers that perform website analytic services for us or enable the customization of offers to you to improve your experience through our Sites, and/or Apps
<b>Communications:</b> communications we have with you (such as by sending an e-mail through our Website and/or to the addresses indicated in our Website or by calling, e-mailing, texting, or chatting online with our customer service team and/or store staff). Please note that we record calls to our customer service team.	From you	To handle your requests, to contact you when necessary or requested, including responding to your questions and comments and providing customer support, and to obtain customer feedback and improve our customer service	Our service providers who assist us with customer service and/or product complaints
<b>Voluntary information:</b> any voluntary information you provide us with, such as responses to surveys or competitions and social media account details	From you and your social media account provider	To know you better, make our communications with you more personal, learn and improve from your survey feedback, organize events and pick competition winners	Our service providers who administer surveys and promotions, and our comarketing partners
<b>Personalization:</b> your journey online and how you use our Sites and Apps, whether and	From you, from our Site or App technology's interaction with	To improve our Sites, products and services and customer service	Our third party vendors and service providers that perform website analytic services for us or enable the

<p>when you open our marketing emails and respond to our advertisements</p>	<p>your browser or devices and cookies tracking the pages you visit</p>		<p>customization of offers to you to improve your website experience for our Sites and/or Apps</p>
<p><b>Device information:</b> IP address, internet provider, operating system and browser used, type of device (such as laptop or smart phone), device cookie settings and other device details (such as MAC address)</p>	<p>From you and from our website or app technology's interaction with your browser or devices</p>	<p>To make sure our Site and App technology works properly with your device and make sure you can see and use our intended website and apps on the device you are using, for analytical and demographic purposes, and to provide offers that may be of interest to you. We also will use this information to protect the security and integrity of the Sites and our business, such as managing risk exposure, including by identifying potential hackers and other unauthorized users</p>	<p>Our service providers that perform website analytic services for us or enable more relevant offers to you on our Sites and/or Apps</p>
<p><b>Information automatically collected from your browser:</b> when you use the Sites, some data is automatically transferred from your browser to our server, including your browser type, operating system type or mobile device model, viewed webpages, links that are clicked, keystrokes typed, movement of the mouse or pointer, IP address, mobile device identifier or other</p>	<p>From you and from our Site or App technology's interaction with your browser or devices</p>	<p>We will use this information in an aggregated nonspecific format for analytical and demographic purposes.</p> <p>We also will use this information to improve our Sites, customer service, user experience, products and services; to create a session replay that shows your visit to our site; and to protect the security or integrity of the Sites and our</p>	<p>Our third party vendors and service providers that perform website analytic services for us or enable the customization of offers to you to improve your website experience and the relevance of offers to you on our Sites and/or Apps</p>

<p>unique identifier, sites or apps visited before coming to our Sites or Apps, the amount of time you spend viewing or using the Sites or Apps, the number of times you return, or other clickstream or site usage data, emails we send that you open, forward, or click through to our Sites or Apps</p>		<p>business, such as by managing risk exposure, including by identifying potential hackers and other unauthorized users</p>	
<p><b>Suspected crime information:</b> details of your identity, image, name, and address, suspected or alleged thefts, fraud, assault, or other criminal behavior</p>	<p>From crime and fraud prevention agencies, from you, witnesses, and from the police</p>	<p>To protect customers, the public and our business against risks and crime, to prevent loss, to prosecute crime, and to defend ourselves</p>	<p>Law enforcement and other governmental authorities in accordance with applicable law, and our professional advisors</p>
<p><b>Loyalty information:</b> your loyalty account number, birthday, gender, age, purchase history, Facebook login and information on rewards or other benefits</p>	<p>From you and from our loyalty service administrator</p>	<p>To administer your loyalty account and provide you with offers that may be of interest to you. Facebook login we use your name and email address to create your account, we don't collect any other personal information. Your data is being processed with your name and email solely for account creation and for Facebook login. Your data is not processed or given to any third parties.</p>	<p>Our service providers who administer our Obagi Premier Points loyalty program</p>
<p><b>Inferences drawn from the information identified above:</b> to create a profile about a consumer reflecting the consumer's preferences, characteristics,</p>	<p>From you and from our website or app technology's interaction with your browser or devices</p>	<p>To enhance your online shopping experience, to personalize your experience, to provide you with customized Site or App content,</p>	<p>With entities in our group; with your consent, with third parties whose products or services may be of interest to you</p>

<p>psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes</p>		<p>targeted offers from other users, promotions and advertising on the Sites or Apps, through other third party sites or apps, via email, text messages, or App push notifications that are offered by us or others that might be of interest to you</p>	
<p><b>Sensitive personal information:</b> such as your driver's license, state identification card, or passport number; your precise geolocation (if you permit us to obtain your precise geolocation); your racial and ethnic origin, and biometric data; combination of email address, financial account, debit card, or credit card with security or access code, password, or other credentials allowing access to your account; information regarding your sexual orientation</p>	<p>From you (online and offline, in the course of using or processing online services or remote order/sales services, including contacting customer service)</p>	<p>To complete a particular transaction or fulfill a service; to check that the right person is using the right card or account. To provide offers that may be of interest to you, for analytical and demographic purposes, and to protect the security or integrity of the Sites and our business, such as by protecting against and preventing fraud, unauthorized transactions, and managing risk exposure, including by identifying potential hackers and other unauthorized users.</p>	<p>With related entities; Our service providers who perform technology and website analytic services for us; with certain authorized third parties for the purpose of providing specialized services to us (such as helping us to maintain and manage our customer information, communicate with our customers, service our website, fulfill orders, etc.)</p>

**Notice of Financial Incentive**

We may offer our customers limited-time promotions and opportunities to participate in surveys. In exchange for participating in our promotions or surveys, and providing us with your personal information, we may offer you financial incentives and/or price or service differences such as a bonus card, discount, or a coupon. We may collect personal information such as your name, email address, preferences, experiences, and engagement with us (“Customer Data”). You can terminate participation at any time as explained in the applicable promotion or survey terms. We estimate that the value of the Customer Data is the value of the benefit we offer to you in connection with the promotion or survey, which is reasonably related to the costs associated with offering such benefit.

## Your California Privacy Rights

If you are a California resident, California law provides you with the following rights with respect to your personal information:

- The right to know what personal information we have collected, used, disclosed, and sold about you, including the categories of personal information, the categories of sources from which the personal information is collected, the business or commercial purpose for collecting, selling, or sharing personal information, the categories of third parties to whom we disclose personal information, and the specific pieces of personal information we have collected about you.
- The right to correct inaccuracies in your personal information, taking into account the nature of the personal information and the purposes of the processing.
- The right to request that we delete any personal information we have about you.
- The right to opt-out of the selling or sharing of your personal information, which you can exercise the right to request that we delete any personal information we have collected about you. To submit a request for deletion, you may call us at 1.800.636.7546 or email us at [customerservice@obagi.com](mailto:customerservice@obagi.com). Please note that clearing your cookies at any time will remove the signal of your selected privacy preferences.

In addition, California law requires us to identify, for the 12-month period prior to the date of this Privacy Policy, what information we may have “sold” or “shared” about you. Our policy is not to sell any personal information to any third party for marketing purposes, and for the 12-month period prior to the date of this Privacy Policy, we have not sold any personal information about our customers. For the 12-month period prior to the date of this Privacy Policy, we have only shared personal information about our customers as described above. We do not use or disclose sensitive personal information, as defined in applicable laws, for any purposes other than those permitted by applicable law.

**Opt-Out Preference Signals:** We are working towards enabling Global Privacy Control (GPC) as an additional way for you to submit a request to opt-out of the sale and sharing of your personal information through browsers and/or browser extensions that support such a signal. Until then, you can exercise the right to request that we delete any personal information we have collected about you. To submit a request for deletion, you may call us at 1.800.636.7546 or email us at [customerservice@obagi.com](mailto:customerservice@obagi.com).

**Do Not Track :** Do Not Track (“DNT”) is a privacy preference that users can set in some web browsers, allowing users to opt out of tracking by websites and online services. At the present time, the World Wide Web Consortium has not yet established universal standards for recognizable DNT signals and therefore, Obagi and the Sites do not recognize DNT.

This Privacy Policy describes how we may share your information for marketing purposes, as described above. If you are a California resident, the Shine the Light law permits you to request and obtain from us once per calendar year information about any of your Personal Information shared with third parties for their own direct marketing purposes, including the categories of information and the names

and addresses of those businesses with which we have shared such information. To request this information and for any other questions about our privacy practices and compliance with California law, please contact us through the contact form on our website.

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### *Submitting Requests*

California residents have the right to opt out of the selling and sharing of their personal information and to limit the use of their sensitive personal information. However, we do not sell or share personal information, and we do not use sensitive personal information for any additional purposes that are incompatible with the purposes listed above, unless we provide you with notice of those additional purposes.

To submit a request to know, correct, or delete, you may call us at 1.800.636.7546 or email us at [customerservice@obagi.com](mailto:customerservice@obagi.com).

We will respond to your request in compliance with the requirements of applicable laws. Please note that we are only required to honor California requests to know twice in a 12-month period.

We do not discriminate against California residents who exercise any of their rights described in our Privacy Policy. Your exercise of these rights will have no adverse effect on the price and quality of our goods or services.

### *Verification of Your Identity*

When you exercise these rights and submit a request to us, we will verify your identity by asking you to provide us with additional information such as your email address, order numbers of previous orders of our products and services, or the last four digits of a credit or debit card used to make a purchase. We also may use a third-party verification provider to verify your identity.

### *Non-Discrimination*

If you make a request under the CCPA, we will not discriminate against you in any way. For example, we will not deny you discounts or other benefits or impose penalties on you, or provide you with or suggest that you will receive a different level or quality of benefits or services.

### *Authorized Agents*

You may permit an authorized agent to submit a request to know or to delete your Personal Information. If we receive a request on your behalf, we will ask that person to give us proof that you gave that person written permission to make a request for you. If that person does not provide us with written proof, we will deny their request so that we can protect your Personal Information.



### *Automated Decision-Making*

We generally do not use automated decision-making technology, as that term is defined by State Privacy Laws. If we make use of automated decision-making technology, you will be informed through a separate privacy notice.

### **Contact Us**

If you have any questions about this Privacy Policy or to request this Privacy Policy in another form, please contact us at 1.800.636.7546 or [customerservice@obagi.com](mailto:customerservice@obagi.com).